

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, <i>ex rel.</i>	)	
State Engineer	)	69cv07941-MV/KK
	)	RIO CHAMA STREAM SYSTEM
Plaintiff,	)	
	)	Section 3, Rio Cebolla
vs.	)	
	)	Subfile Nos. CHCB-001-0007,
ROMAN ARAGON, <i>et al.</i> ,	)	CHCB-002-0001B, CHCB-002-0002C,
	)	CHCB-002-0009
Defendants.	)	
_____	)	

**DEFENDANTS' REQUEST FOR TRIAL SETTING IN RIO CHAMA, SECTION 3,  
RIO CEBOLLA SUBFILES**

TED J. TRUJILLO, Attorney for Defendants Charlie Chacon and Geralda M. Chacon ("Chacon") and Delfin O. and Frances S. Quintana Trust ("Quintana"), hereby joins in the State's request that this Court set the matter of the unresolved Subfiles for trial in light of the parties inability to reach a settlement on June 23, 2016. The undersigned Attorney had advised the State that the earliest time block where both Attorney and Defendants are available for a trial in this matter is mid-November through the end of 2016, and if need be, through February, 2017. By separate Notice which follows, the undersigned Attorney is providing Notice of his Unavailability from August 29, 2016 through September 30, 2016.

The Defendants anticipate that the trial will take four to five days in accordance with the Revised Pre-Trial Order, Doc. 11064, dated December 16, 2014, due to the large number of exhibits in evidence and lay witnesses that are identified to testify. Additionally, the amount of time for the examination of the remaining expert witnesses, as well as rebuttal witnesses, if any, should be anticipated. Due to the passage of time in this matter, Defendants concur that a final

pretrial conference would be in the best interest of the parties and the process. Pursuant to D.N.M.LR-Civ.7.1, Defendants also concur with the State's statement that despite good faith efforts, the parties have been unable to agree on a requested trial schedule.

Respectfully submitted,

Law Office of Ted J. Trujillo

\_\_\_\_\_/s/ Ted J. Trujillo\_\_\_\_\_

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*Attorney for Defendants Chacon and Quintana*

CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2016 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served by electronic means.

By: /s/ Ted J. Trujillo  
Ted J. Trujillo